

RESULTS OF INVESTIGATION: The articles were originally intended as physician's samples and were obtained by the holder during the time that he was a drug salesman.

LIBELED: 8-1-61, Dist. Kans.

CHARGE: 502(a)—while held for sale, the words "Professional Sample" and "Complimentary" on the labels were false and misleading as applied to the articles which were intended for sale, and not then intended for use as "complimentary - not for sale" samples for physicians and others lawfully engaged in dispensing prescription drugs.

DISPOSITION: 9-29-61. Default—destruction.

6720. Various prescription drugs. (F.D.C. No. 46076. S. Nos. 69-361/73 R.)

QUANTITY: 6 ctns., having an approximate total value of \$5,000, at Chicago, Ill., in possession of Ballin Drugs, Inc.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: (Some labels) "Sample Not To Be Sold," "Professional Sample," "Physicians Professional Package," or similar wording.

RESULTS OF INVESTIGATION: Some of the articles were prescription drugs which had been repacked by the dealer, Ballin Drugs, Inc., from physicians' samples into containers to which had been affixed labels bearing a "complimentary - not to be sold" professional sample legend, and the names of manufacturers, packers, or distributors located outside the State of Illinois.

Some of the articles were prescription drugs which had not, at the time the libel was filed, been repacked by the dealer and originally were intended for use as samples for physicians and others lawfully engaged in dispensing prescription drugs and which bore labels containing "complimentary - not to be sold" professional sample legend, and the names of manufacturers, packers, or distributors located outside the State of Illinois.

LIBELED: 7-13-61, N. Dist. Ill.

CHARGE: 502(a)—while held for sale, the statements "Sample Not To Be Sold," "Professional Sample," "Physicians Professional Package," "Physician Sample," and similar wording borne on the labels of said articles, were false and misleading as applied to the articles then in possession of a repacker and intended for sale, and not then intended for use as "complimentary - not for sale" samples for physicians and others lawfully engaged in dispensing prescription drugs.

DISPOSITION: 9-1-61. Default—destruction.

6721. Various prescription drugs. (F.D.C. No. 46038. S. Nos. 84-444/55 R.)

QUANTITY: 62 ctns., having an approximate total value of \$7,000, at Newark, N.J., in possession of Joseph Iannarone, t/a Armory Drug Store.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: "Professional Sample," "Complimentary Package," "Sample: Not To Be Sold," "Physicians trial package," "Professional Sample: Not to be Sold," "For Clinical Use," and "Complimentary," or similar wording.

RESULTS OF INVESTIGATION: The articles were prescription drugs originally intended for use as samples for physicians and others lawfully engaged in distributing prescription drugs, and bearing labels containing a "complimentary - not to be sold" professional sample legend, and containing also the names and address of manufacturers, packers, or distributors located outside the State of New Jersey.